

Application No. 10/056,216

Patent

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

App. No. : 10/056,216  
Applicant : Scott, et al.  
Filed : January 25, 2002  
Art Unit : 3671  
Examiner : Kovacs, Arpad F.  
Docket No. : 3800.56-1  
Title : Wheeled Vegetation Trimmer

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JUN 10 2004

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Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE AFTER FINAL

Dear Sir:

Applicants respectfully submit that the final rejection on March 10, 2004 of all pending claims under 35 U.S.C. 102(e) constitutes legal error.

Applicants claim priority to U.S. provisional application no. 60/325,751, filed on January 25, 2001. The claim of priority was made in the application data sheet that was filed with the application. The first sentence of the application as filed also contains a reference to the provisional application. Furthermore, the specification of the present application is substantially identical to the specification of the provisional application. All pending claims are supported by the specification of the provisional application.

The filing date of U.S. patent no. 6,666,009 of Brandon - February 28, 2001 -- is almost a full month after the priority date of the present application. Brandon thus cannot be

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CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being.

## MAILING

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Date: June 10, 2004

Signature  
  
John B. Harragher

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prior art under section 102(e), with respect to claims 1-20. The final rejection of claim 1-20 under 35 U.S.C. 102(e) as being anticipated by Brandon is in error.


Accordingly, Applicants request withdrawal of the final rejection of the application. As the final Office action contains no other grounds of rejection, the application is in condition for allowance. Applicants therefore also request allowance of the application.

The Commissioner is hereby authorized to charge any fees or credit any overpayment associated with this Amendment to Deposit Account No. 13-4900 of Munsch Hardt Kopf & Harr, P.C.

Respectfully submitted,

Date:

10 June 2004

  
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